

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
HOUSTON NATHANIEL III,
Defendant.

Case No.12-cr-00574-PJH-2

**ORDER RE MOTION FOR
EXTENSION**

Re: Dkt. No. 619

In the above-captioned case, defendant has filed a pro se motion under Rule 60(b)(6) to reopen the final judgment of his section 2255 proceedings, and the government has filed a motion to extend the time to respond to defendant's motion. See Dkt. 615, 619. However, it does not appear that the government served a copy of its motion on defendant, nor does the government purport to proceed ex parte (although the court would be disinclined to grant a request to proceed ex parte even if the government had so proceeded).

Accordingly, the government's motion for extension is denied without prejudice so that it may be re-filed with proper notice to defendant. The government's response deadline will be held in abeyance until the government re-files its motion and defendant has sufficient time to respond.

IT IS SO ORDERED.

Dated: March 5, 2025

/s/ Phyllis J. Hamilton

PHYLLIS J. HAMILTON
United States District Judge